

Planning/Zoning, Land Design & Development Meeting
Tuesday, May 19, 2009
2:06 P.M.
Third Floor, City Hall

Present: Chair: CM Owen
Vice Chair: CM Stuckel
Members: CM Flood, CM Ward-Pugh and CM Heiner

Chairman Owen began the meeting by introducing the members and non-members of the committee that were present. A quorum was established.

O-78-05-09 AN ORDINANCE CLOSING AN UNNAMED ALLEY BEGINNING 47.10 FEET FROM ITS WESTERN INTERSECTION WITH BUCHANAN STREET, 235.75 FEET NORTH OF THE INTERSECTION OF STORY AVENUE AND BUCHANAN STREET, AND RUNNING 403.51 FEET WEST, AND CLOSING JOHNSON STREET FROM ITS INTERSECTION WITH SAID ALLEY, RUNNING 124.84 FEET NORTHEASTERLY TO THE SOUTHWEST CORNER OF JOHNSON AND WASHINGTON STREETS, CONTAINING 10,489 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 10439).

Motion to Approve made by Glen Stuckel and seconded by Hal Heiner.

Discussion: Dawn Warrick, DPDS, spoke to the item giving a brief history of the case. This was on the Planning Commission Consent Agenda on April 16, 2009. No one spoke in opposition. The Commission approved the request and made recommendation for approval by the Metro Council. This is in President Tandy's District. A power point presentation was given. The following were items of discussion and concern:

- Per Chairman Owen, President Tandy is in favor of this closing.

This Ordinance was sent to the **Consent Calendar**.

VOTING RESULTS: For: 5; Against: 0; Abstain: 0; Absent: 2

For: Hal Heiner, Tom Owen, Glen Stuckel, Tina Ward-Pugh, Madonna Flood
Against: (None)
Abstain: (None)
Absent: Cheri Bryant Hamilton, Jon Ackerson

O-80-05-09 AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE FAMILY RESIDENTIAL TO OR OFFICE-RESIDENTIAL ON PROPERTY LOCATED AT 7327 SOUTHSIDE DRIVE, CONTAINING A TOTAL OF 0.39 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 9891).

Status: In-Committee
Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: Tom Owen

Motion to Approve made by Tina Ward-Pugh and seconded by Hal Heiner.

Discussion: Dawn Warrick, DPDS, spoke to the item. There were two Planning Commission hearing on this case. The first was held on March 19, 2009. Three spoke in opposition. The second was held on April 16, 2009. No one spoke in opposition. The Commission approved the request and made recommendation for approval by the Metro Council. This is in CM Welch's District. A power point presentation was given. The following were items of discussion and concern:

- To allow for the conversion of a residential home to be used as a business office
- West side of property is on a Form District Change Line
- Access
- Future commercial use on site
- Site being used for car sales etc.
- Traffic
- Parking
- Transitional mixed use
- Must retain residential character
- Widening of driveway
- Will not be a home occupation business
- Applicant is providing sidewalks on the south side

Per Chairman Owen, CM Welch is in favor of this zoning change.

This Ordinance was sent to **Old Business**.

VOTING RESULTS: For: 5; Against: 0; Abstain: 0; Absent: 2

For: Hal Heiner, Tom Owen, Glen Stuckel, Tina Ward-Pugh, Madonna Flood

Against: (None)

Abstain: (None)

Absent: Cheri Bryant Hamilton, Jon Ackerson

[O-79-05-09 AN ORDINANCE CHANGING THE ZONING FROM OR-3 OFFICE-RESIDENTIAL TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 7290 MANSLICK ROAD, CONTAINING A TOTAL OF 0.43 ACRES, AND BEING IN LOUISVILLE METRO \(CASE NO. 11955\).](#)

Status: In-Committee

Committee: Planning/Zoning, Land Design & Development

Primary Sponsor: Tom Owen

Motion to Approve made by Glen Stuckel and seconded by Tina Ward-Pugh.

Discussion: Dawn Warrick, DPDS, spoke to the item. The Planning Commission hearing was held on April 16, 2009. No one spoke in opposition and one spoke neither for nor against. The Commission approved the request and made recommendation for approval by the Metro Council. This is in CM Blackwell's District. A power point presentation was given. The following were items of discussion and concern:

- Structure is over 4,000 square feet in size
- Frontage on Manslick Road and Vista John Drive
- Bring zoning use into conformity
- Concerns regarding a potential C-2 designation but Applicant asked for C-1
- Neighborhood Form District with mixed uses
- Sidewalks

CM Blackwell, District Representative, spoke regarding sidewalks and stated he is in favor of this zoning change.

Motion to Amend by adding an additional binding element as follows was made by Rick Blackwell and seconded by Tina Ward-Pugh.

- 9 The applicant shall construct a sidewalk in accordance with standards set forth by Metro Public Works for such construction, along the property's Manslick Road frontage. Such sidewalk shall be completed within 12 months of final legislative approval of the requested rezoning in this case.

The Amendment passed.

This Ordinance as amended was sent to **Old Business**.

VOTING RESULTS: For: 6; Against: 0; Abstain: 0; Absent: 2

For: Hal Heiner, Tom Owen, Glen Stuckel, Tina Ward-Pugh, Madonna Flood, Rick Blackwell

Against: (None)

Abstain: (None)

Absent: Cheri Bryant Hamilton, John Ackerson

[O-84-05-09 AN ORDINANCE AMENDING APPENDIX G OF CHAPTER 162 OF THE LOUISVILLE METRO CODE OF ORDINANCES, PERTAINING TO OVERLAY DISTRICTS, TO ADOPT REVISED AND UPDATED GUIDELINES FOR THE BARDSTOWN ROAD/BAXTER AVENUE CORRIDOR OVERLAY DISTRICT.](#)

Status: In-Committee

Committee: Planning/Zoning, Land Design & Development

Primary Sponsor: Tom Owen

Motion to Approve made by Glen Stuckel and seconded by Tina Ward-Pugh.

Discussion: Bob Keesaer, DPDS, spoke to the item giving an overview of the Bardstown Road/Baxter Avenue Corridor Overlay District. There were two main intents. 1) Wanted a tool the Committee could use in making a decision and 2) wanted to balance the requests for the residence and business owners. A power point presentation was given (Attached). The following was discussed:

- Maintaining traffic pattern and pedestrian nature of the corridor
- Signage Guidelines
 - Guideline Basics
 - New freestanding pole signs are not allowed in the district per LDC except signs that are grandfathered in
 - Back-Lit cabinets shall have an opaque background
 - Window signage shall not exceed 25% of storefront window area
 - Contributing Signs
 - Signs that contain unique design features or historical qualities that enhance visual characteristic and diversity of the corridor
 - Listed contributing signs will allow non-conforming signs to remain intact or be restored and adapted for new business
- Awing Guidelines
- Building Guidelines
- Public Art Guidelines
- Site Planning Guidelines
 - Screening of parked vehicles
 - Parking areas and drive-thru's should be located to the side or rear of structure
 - Adequate perimeter landscaping
- Historic Preservation

The following was also discussed:

- Bardstown Road Overlay District Committee
- Improvement of Design

This Ordinance was sent to the **Consent Calendar**.

VOTING RESULTS: For: 5; Against: 0; Abstain: 0; Absent: 2

For: Hal Heiner, Tom Owen, Glen Stuckel, Tina Ward-Pugh, Madonna Flood

Against: (None)

Abstain: (None)

Absent: Cheri Bryant Hamilton, Jon Ackerson

Motion to Adjourn made by Glen Stuckel and seconded by Hal Heiner. Without objection the meeting Adjourned at 3:00 P.M.

***NOTE: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council Meeting on May 28, 2009.**

KQG